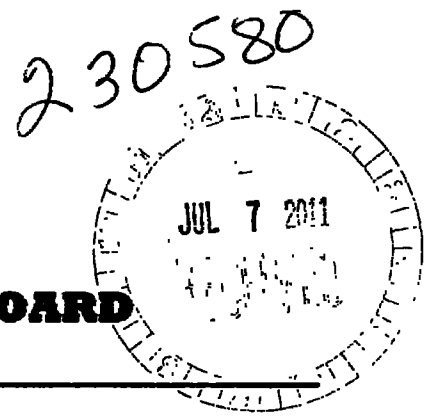


**BEFORE THE
SURFACE TRANSPORTATION BOARD**



STB DOCKET NO. MC-F 21035

STAGECOACH GROUP PLC AND COACH USA, INC., et al.

-ACQUISITION OF CONTROL - TWIN AMERICA, LLC

**COMMENTS
TO
THE APPLICANTS RESPONSE
TO THE AMICUS CURIAE STATEMENT
OF
KAREN FLEMING**

**Karen Fleming
570 Lefferts Avenue #2D
Brooklyn, NY 11203
(718) 809-4993**

June 29, 2011

I wish to thank the Surface Transportation Board for allowing members of the Twin America Workforce to be heard in this matter. We accept our Civic Responsibility to keep the Surface Transportation Board informed of variant views to those put forward by the Applicants. Although various Unions have acquiesced to the Twin America concept, **that does not mean that Gray Line and CitySights workers approve.**

Objection is hereby raised to the tactic of the Applicants in replying to the comments of Onel Alfaro and the Amicus Curiae Statement of Karen Fleming **[together]**, as though we submitted one document. While the commenting parties are honored to be held in similar high esteem by the Applicants, there was no planned *concert of content* between us. Moreover, the fact that two workers, operating on opposite sides of the aisle have come to conclusions so similar that the Applicants have freely joined them together, merely serves to support our concerns rather than decry them.

We trust that Readers of the Record are able to distinguish the validity of argument from any *ad hominem* attack on the creators of the argument[s]. Further, the Applicants' feeble attempts at 'guilt by association' and 'poisoning the well' are logically flawed.

We hereby submit email between Karen Fleming and Onel Alfaro.

Exhibit 1 clearly shows that Karen Fleming and Onel Alfaro had no prior knowledge as to the content of their respective documents **before** submission to the Surface Transportation Board.

I do not believe that the Surface Transportation Board is an appropriate venue for a discussion of my removal from office as the President of T.W.U Local 225. However, I note that the Applicants appear to have *classified confidential* T.W.U. Local 225 and Transport Workers International information, to which I, **as the subject of the removal**, am not privy. In the alternative, Applicants have stretched public information to suit their purposes before the Surface Transportation Board.

I apologize for "mystifying" the applicants with regard to Union relations. (Page 4)
I stand by my statement, "Union relations are in shambles."

- Teamsters Local 944 membership (Gray Line drivers and mechanics) are currently exercising their rights under the Teamsters By-Laws to dispute the so-called 'overwhelming approval' of the current contract.
- While the recent Union election at CitySights did result in the Re-Certification of the United Service Workers Union Local 1212, (undoubtedly aided and abetted by City Sights Management), as the representative of the CitySights Workers, it should be noted that the election is currently under dispute at the National Labor Relations Board due to charges of Unfair Labor Practices. CitySights Workers are working without a contract and we understand that no negotiations are being conducted at this time.

On page 4 in the Applicants Reply to Onel Alfaro and Karen Fleming, there is a statement about my [Karen Fleming] "lack of involvement." **To the contrary, I wish the STB to know that I am still prolifically involved.** Many members of T.W.U. Local 225 **still address me as "President"** When chastened about my current status, the members say "We don't care what happened, we elected you. You are still our President." Moreover, on a daily basis, members come to me with issues and concerns. *POWER and THE SEAT OF POWER are not necessarily the same thing, a fact well understood by the Applicants.*

I suggest that what the Applicants lack in probity, they make up for with chicanery.

- On Page 4 of the Reply to Karen Fleming and Onel Alfaro, Applicants attempt psychiatric assessment. Applicants find the Commenters to be "...fueled by personal disagreements (and potential dislike) of Twin America management and union leadership..." I wish to make it perfectly clear that I have no **personal** animus towards the Twin America management or Union Leadership.
- Page 2 of the Response of Karen Fleming and Onel Alfaro reads, "... These Comments, motivated by personal bias..." There is no way for the Applicants to know our motivation. As stated in my Amicus Curiae Statement, I, (Karen Fleming) "represent the unrepresented," [Workforce] before the Surface Transportation Board in the Twin America matter. I hereby persevere in this statement.

SAFETY OF THE TWIN AMERICA BUSES.

The safety of the Twin America buses is a subject which is of critical concern to the Workforce. Our **health and safety** is paramount in our daily activities while we provide labor to Twin America.

Page 2 of Applicants Response to Comments of Onel Alfaro and Amicus Curiae Statement of Karen Fleming states, **"The Commenters' allegation that Twin America buses are unsafe is false and sanctionable: all buses must pass the Department of Transportation's required testing every six months. ."**

- The Applicants use of the word "**sanctionable**" is contextually ambiguous here. We presume the Applicants mean that we can be held to account in a court or other governmental entity for making the statement, 'We believe [some] Twin America buses are unsafe.' We welcome the opportunity to state our case in ANY venue. We invite the Applicants to attempt to 'sanction' the truth.
- Once again, the Applicants have attempted to sell a logical fallacy to the Surface Transportation Board. The notion that " ...all buses must pass the Department of Transportation's required testing every six months." **means** that Twin America buses are safe is an argument which is ludicrous on its face. Twin America Management knows, all too well, that buses inspected by the Department of

Transportation **can, and do** have accidents. This point is highlighted by the fact that 15 people were killed in the Bronx on March 12, 2011 by a New York DOT inspected World Wide Tours bus. World Wide Tours' business address was/is 33 2nd Avenue, Brooklyn, NY 11215. This is the **same location** where CitySights buses are parked and serviced.

SAFETY OF THE TWIN AMERICA 400 SERIES BUSES

Description: Single axles, coach-maker built, not assembly-line manufactured, retro-fitted, formerly commuter coach buses, parked in Brooklyn, dressed in Gray Line red.

These vehicles are unsafe. They strike fear in the hearts of Gray Line Workers on a daily basis.

Some complaints and observations provided by the Workforce:

- Frequent mechanical breakdowns.
- Excessive tilting.
- Passengers being thrown out of their seats because of excessive tilt.
- Odor of Exhaust Fumes in the cockpit.
- No drainage provisions for top deck resulting in passengers and Tour Guides sitting with their feet in up to two inches of water.
- Excessive response to road bumps and ruts making for dangerous handling.
- Operators seats can't be adjusted
- Steering wheel snatch causing operator shoulder injury.
- Seat securements unbolting during operation.
- Exterior Corrugated metal plate wall members, when exposed to the sun heat sufficiently to burn the skin.
- Electrical shocks delivered by the audio system to Tour Guide through microphone.
- Electrical shock upon touching bus (passengers and crew).
- Battery leakage from below the operators' chair.
- Speakers falling off the wall mounting.
- Stress point panel failure.
- Loose rivets and screws.
- Hanging wires in the drivers space and elsewhere.
- Rain Leaking on operator while the bus is in service.

If these vehicles are safe, as claimed by Management, and have been duly inspected and certified by the Department of Transportation as Tour-ready and road-worthy, we suggest that Twin America make the Inspection Reports available to us, thereby putting to rest any fears that the Workforce may have.


ADMONISHMENT OF THE CHAIRMAN

On March 8, 2011, pursuant to the Applicants Request for Reconsideration, STB Chairman Elliott stated, "Applicants are cautioned, however, to proceed no further with steps to integrate these two companies during the pendency of the petition for reconsideration." We do not believe that the Applicants are abiding by the directive of the Chairman.

As stated on Page(s) 9/10 [Item #6] of the Amicus Curiae Statement of Karen Fleming, the Workforce has "... mounting concerns that Twin America Management is attempting another end-run around the Surface Transportation Board by converting CitySights (800) series buses to Gray Line buses with a paint and logo job,..." Our concerns are more serious **now** because re-painted CitySights buses are being operated on the streets of New York *appearing* to be Gray Line equipment

We hereby present Power Point slides on a CD for review by the Surface Transportation Board. **EXHIBIT 2.** The slides clearly show pictures of 800 series CitySights buses repainted in Gray Line red recently operating on the streets of New York City.

Once again we offer our services in providing the Surface Transportation Board with Twin America Workforce members in live testimony and/or written interrogatories to help to clarify any issues before you.


Karen Fleming
570 Lefferts Ave. #2D
Brooklyn, NY 11203
(718) 809-4993

As this document has been prepared *in pro per*, we beg the Boards indulgence as to any pro forma errors or inconsistencies that may be observed.

EXHIBIT 1

Submitted by Karen Fleming in support of:
**COMMENTS TO THE RESPONSE OF APPLICANTS
TO THE AMICUS CURIAE STATEMENT OF KAREN FLEMING
MC-F 21035**

Karen Fleming <karenfleming225@gmail.com>
To: Onel <alferoleno@aol.com>

Tue, May 3, 2011 at 11:56 PM

Well I finally read your statement to the STB just now. I hope you took no offense that I didnt want to read it before. I didnt want to be influenced to change my own focus. My peice to the STB is done and in the mail. I'm going to try to send that to you right now. These kind of transfers are NOT my forte.
KF//

[C:\Users\helen\Documents\

CERTIFICATE OF SERVICE

I hereby certify that on this 29TH day of June, 2011 I served a true and accurate copy of the foregoing Comments to the Applicants' Response to the Amicus Curiae Statement of Karen Fleming including a CD, by First Class USPS mail on the following parties:

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

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Washington, D.C. 20530

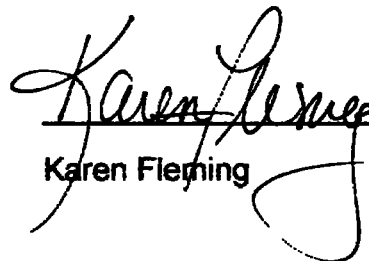
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Karen Fleming